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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,191	06/04/2001	Shell S. Simpson	10007667-1	5616

7590 04/29/2005

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EXAMINER

TUCKER, WESLEY J

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/874,191	SIMPSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Wes Tucker	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 02 July 2004.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-10 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 and 12-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 June 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Response to Amendment and Arguments***

1. Applicant's response to the last office action, filed July 20<sup>th</sup>, 2004, has been entered and made of record.
2. Applicant has cancelled claim 11. Applicant has amended claims 1, 5-10, 12-13, 16, 20 and 21. Applicant has added new claims 22 and 23. Claims 1-10 and 12-23 are pending.
3. Applicant's arguments have been fully considered and entered, but are not completely persuasive for at least the following reasons:
4. With regard to independent claims 1, 12, 20 and 21, Applicant argues that the reference of Ogawa does not disclose the newly amended feature of device firmware configured to store link references to the imaging data in a centralized data store. Examiner disagrees and points to column 4, lines 44-58, where the directories of the particular users are set up and defined in a file structure. The term "link reference" is not used in the specification, but as far the Examiner can tell it refers to the way the images are routed or located. This is interpreted to be equivalent to the way they are routed or located in Ogawa, by their user ID and specified directory. Applicant further points out that these "link references" allow remote web services to locate imaging data associated with a particular user by accessing the centralized data store. Examiner points out that this is exactly the

purpose of the user IDs used in Ogawa. A user ID is used to associate an image with a user or directory, and data is then accessed according to accessing the directory with that information just like all computer data access operations.

Applicant argues that the one-to-one correspondence of directories does not consider a centralized data store as recited in claim 1, because Ogawa does not have a need to track a user's image data that may be stored in multiple locations, or even multiple remote devices. Examiner submits that the index of images taught by Ogawa is the same thing as the centralized data store as recited in claim 1. The use of pointers or links to databases is well known in the art and is an inherent part of storing data in computer memory especially in the use of web applications and servers. The ID used to identify each user's file server is interpreted the same as a link that is used for allowing remote access by web services.

The same discussions apply to the other independent claims 12, 20 and 21 as well as the newly added claim 22. The rejection of claims 12-20 is maintained and a new rejection of claims 1-10, 21, and new claims 22 and 23 is presented to clarify. The rejection is accordingly made final.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 12-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,115,739 to Ogawa et al.

With regard to claim 12, Ogawa discloses a method for transferring scanned imaging data from a scanning device to a personal imaging repository having one or more imaging data stores for storing the imaging data of a user and a composition store for storing imaging compositions having links to the imaging data, said method comprising:

Ogawa further discloses receiving the scanned imaging data (Fig. 2, element 12, column 2, lines 28-31).

Ogawa further discloses obtaining user information relating to the personal imaging repository that identifies an imaging data store and a composition store associated to the user (column 2, lines 30-35).

Connecting with the imaging store of the personal imaging repository indicated from the user information (column 2, lines 34-42).

Transferring the scanned imaging data to the imaging data store (column 2, lines 34-40); and

Storing, in the composition data store associated to the user, a link reference that identifies a location of the scanned imaging data where the composition store maintains a plurality of link references to a plurality of imaging data that may be stored in separate imaging data stores (column 2, lines 34-42 and Fig. 1). The plurality of link references to a plurality of imaging data that may be stored in separate imaging stores is interpreted as the user Ids that identify the user directory where the multiple imaging stores are the memories allocated to store the images.

With regard to claim 13, Ogawa discloses the method according to claim 12 further comprising the steps of: obtaining the link reference of the scanned image data stored in the imaging data store (Figs 4 and 5). Here the image file storage system is disclosed. The image files all have indexes and are considered to operate as link references.

Ogawa further discloses disconnecting from the imaging data store by the scanning device (column 2, lines 45-54). Here the file server is disconnected from the scanner.

With regard to claim 14, Ogawa discloses the method of claim 12 wherein said step of connecting with the imaging data store further comprising the steps of:

determining whether the connection with the imaging data store is successful (column 2, lines 50-54);

returning an error message to the user when the connection is not successful (column 2, lines 50-54); and,

converting the scanned imaging data into a predefined format (column 2, lines 65-68 and Fig. 11). Here the image is stored in .JBG and .TIF formats. The image can be stored in one standard format and then converted to another (column 9, lines 45-60).

With regard to claim 15, Ogawa discloses the method according to claim 14 wherein said predefined format is any from the group consisting of: JPEG, GIF, PNGF, TIF, PDF, and Microsoft Windows bitmap format (Fig. 11). Here two image file formats are given as IMAGE.TIF and IMAGE.JBG.

With regard to claim 16, Ogawa discloses the method according to claim 12 where the storing comprising the step of obtaining a link reference of the scanned imaging data stored in the imaging data store (Figs. 4 and 5). All of the images in the image database have indexes interpreted as link references.

Ogawa further discloses connecting with the composition store of the personal imaging repository indicated from the user information (column 2, lines 30-40).

Ogawa further discloses creating an imaging composition having the link reference to the scanned imaging data stored in the personal imaging data store (column 2, lines 30-40).

Ogawa further discloses saving the imaging composition to the composition store (column 2, lines 30-40).

With regard to claim 17, Ogawa discloses the method according to claim 16 further comprising the steps of: setting the imaging composition as a selected composition available for service in the composition store (column 2, lines 30-40); and disconnecting from the composition store of the personal imaging repository (column 2, lines 45-54).

With regard to claim 18, Ogawa discloses the method according to claim 16 wherein prior to the step of creating an imaging composition further comprising the steps of: determining whether the connection with the composition store is successful; and, returning an error message to the user when the connection to the composition is not successful (column 2, lines 45-54). Here Ogawa discloses when the connection to the file server or image store is lost or disconnected, the user is notified.

With regard to claim 19, Ogawa discloses the method according to claim 16 wherein said step of creating an imaging composition further comprising the step of adding the link reference of the imaging data stored in the imaging data store to the imaging composition (Figs. 4 and 5). Here the directory is considered to be the image directory in which each image added to the file server is indexed or referred to with a link or index number.

With regard to claim 20, the use of a computer program product comprising a computer usable medium having computer readable program is inherent for a process involving the transfer or storage of digital images.

Ogawa further discloses that the program causes the computer to receive scanned image data (Fig. 2, element 12, column 2, lines 28-31);

Ogawa further discloses that the program causes the computer to obtain user information relating to a personal imaging repository of a user, the personal imaging repository including a plurality of imaging data stores and a composition store, the composition store being configured to store references to stored imaging data associated with the user (column 2, lines 34-42). The plurality of imaging data stores is interpreted as the memories used in the imaging repository to store multiple images. The composition store configured to store references to stored imaging is interpreted as the area of memory that stores the

user ID, which is interpreted as the reference or link indicating the location of the user imaging repository.

Ogawa further discloses that the program causes the computer to connect with a selected imaging data store of the personal imaging repository indicated from the user information (column 2, lines 34-42).

Ogawa further discloses that the program causes the computer to transfer scanned imaging data to the selected imaging data store (column 2, lines 34-42).

Ogawa further discloses that the program causes the computer to store a reference in the composition store that identifies a location of the scanned imaging data in the selected imaging data store (column 2, lines 34-42). Again the reference is interpreted as the user ID with which the user repository or directory is identified.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of U.S. Patent 6,115,739 to Ogawa and U.S. Patent 6,825,942 to Kamiyama et al.

With regard to claim 1, Ogawa discloses a system for transferring scanned imaging data from a scanning device to a personal imaging repository (abstract).

Ogawa further discloses a scanning device capable of scanning imaging data (Fig. 2, element 12, column 2, lines 28-31).

Ogawa further discloses the scanning device configured to obtain user information relating to a personal imaging repository associated with a particular user for storing data that is to be accessed by remote web services (column 2, lines 31-37). Here identification information about the user is used to direct scanned images to the corresponding directories over a network.

Ogawa further discloses a device firmware for storing scanned imaging data from the scanning device into said personal imaging repository (column 2, lines 28-32) and being configured to store a link reference to the scanned image data in a centralized data store associated to the particular user (column 2, lines 39-42). Here firmware is interpreted as a memory means in which the relationships of correspondence between identification information on users and the directories associated with the users are stored. The link reference is interpreted as the user information used to determine the directory associated

with the user. A link reference is interpreted as a name or pointer that simply identifies where the file is found and the user ID in Ogawa does that.

Ogawa further discloses the personal imaging repository, but does not explicitly disclose wherein said imaging repository is an exchange infrastructure between the imaging data and the remote web services on the Internet by allowing the remote web services to locate imaging data associated with the particular user by accessing the centralized data store.

As can best be interpreted from the specification, the present invention claims that the imaging repository consist of a centralized data store wherein links interpreted as file pointers or indexes to imaging data are stored and can be retrieved by outside web services. This is basically what the Internet or any network does in searching for files within a file structure or network. Kamiyama discloses an image information input apparatus that stores scanned image data and information about that data such as user information and storing the data according to the kind of image it is. The image can then be transferred to another location or web service or user or wherever according to a received request (column 2, lines 33-64). An exchange infrastructure is inherent to storing and retrieving image data in this way in a network environment. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use allow remote web services to locate imaging data of the users in Ogawa by using an exchange infrastructure as taught by Kamiyama in order to access images associated with a particular user wherever they are.

With regard to claim 2, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository stores the imaging data in a plurality of file formats (column 9, lines 12-17). Here Ogawa describes a compression/expansion unit within the scanner for preserving the image data usually in the compressed format, but it is apparent that different formats can be used.

With regard to claim 3, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository comprises an imaging data store assigned to the user for storing imaging data (column 2, lines 30-35). Here Ogawa discloses directories or image stores associated with users.

With regard to claim 4, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository comprises a plurality of imaging data stores for storing imaging data (column 2, lines 30-35). Here Ogawa discloses that multiple users have their own directories.

With regard to claim 5, Ogawa discloses the system as defined in claim 4 wherein one of said plurality of imaging data stores is assigned to the user for storing imaging data (column 2, lines 30-35). Each user has his/her own directory for storing images.

With regard to claim 6, Ogawa discloses the system as defined in claim 4 wherein one of said plurality of imaging data stores is assigned to a web service for storing imaging data provided by the web service (column 2, lines 55-65).

The scanner is connected to a network and through that network is connected to a file server for image storage.

With regard to claim 7, Ogawa discloses the system as defined in claim 1 wherein the centralized data store comprises a composition store for storing imaging compositions of the imaging (column 2, lines 35-45). Here image data is stored in a file server according to the user information.

With regard to claim 8, Ogawa discloses the system as defined in claim 7 wherein said imaging composition comprises a link reference for each imaging data (Figs 4 and 5). Here the image file storage system is disclosed. The image files all have indexes and are considered to operate as link references.

With regard to claim 9, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository is located on another data storage device that is linked to an imaging client (column 2, lines 55-65).

With regard to claim 21, Ogawa discloses a computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when installed in a scanning device linked to a personal imaging repository with an imaging data store for storing the imaging data and a composition store for storing imaging compositions with links to the imaging data, the product causes the scanning device to:

receive scanned imaging data (column 2, lines 30-40);  
obtain user information relating to the personal imaging repository (column 2, lines 30-40);  
connect with the imaging data store of the personal imaging repository indicated from the user information (column 2, lines 30-40); and,  
transfer scanned imaging data to the imaging data store (column 2, lines 30-40).

Ogawa discloses where the program causes the computer to transfer a link to a composition store associated with the user, the composition store being configured to contain link references to a plurality of image data associated with the user (column 2, lines 34-42), but does not disclose that the imaging data may be stored in different imaging data stores on remote devices.

Here the discussion of claim 1 applies. As can best be interpreted from the specification, the present invention claims that the imaging repository consist of a centralized data store wherein links interpreted as file pointers or indexes to imaging data are stored and can be retrieved by outside web services and

wherein the link references can reference the images stored in data stores on remote devices. This is basically what the Internet or any network does in searching for files within a file structure or network. Kamiyama discloses an image information input apparatus that stores scanned image data and information about that data such as user information and storing the data according to the kind of image it is. The image can then be transferred to another location or web service or user or wherever according to a received request (column 2, lines 33-64). An exchange infrastructure is inherent to storing and retrieving image data in this way in a network environment. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use allow storage of image data in different imaging data stores on remote devices or to allow remote web services to locate imaging data of the users in Ogawa by using an exchange infrastructure as taught by Kamiyama in order to access images associated with a particular user wherever they are.

With regard to newly added claim 22, Ogawa discloses a computer program product comprising readable program codes that when executed causes a scanning device to perform a method, the method comprising receiving references to a personal imaging repository of a user, the references including a data store reference that identifies an imaging data store for storing scanned image data and a composition store reference that identifies a composition store for storing link references to scanned image data associated with the user

(column 2, lines 34-42). The personal imaging repository is the directory in which the images are stored and the composition store is where the user ID is stored and the link is the user ID which is used to link to the stored imaging data.

Ogawa further discloses transferring a scanned image data to the image data store using the data store reference (column 2, lines 34-42).

Ogawa further discloses obtaining a link reference to the scanned image data transferred to the image data store (column 2, lines 34-42). The link reference is user ID designating the directory.

Ogawa further discloses causing the link reference to be stored in a composition store identified by the composition store reference, but does not explicitly disclose where the composition store can be accessed by a plurality of remote web services to identify locations of scanned image data associated with the user.

As can best be interpreted from the specification, the present invention claims that the imaging repository consist of a centralized data store wherein links interpreted as file pointers or indexes to imaging data are stored and can be retrieved by outside web services. This is basically what the Internet or any network does in searching for files within a file structure or network. Kamiyama discloses an image information input apparatus that stores scanned image data and information about that data such as user information and storing the data according to the kind of image it is. The image can then be transferred to another location or web service or user or wherever according to a received

request (column 2, lines 33-64). An exchange infrastructure is inherent to storing and retrieving image data in this way in a network environment. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use allow remote web services to locate imaging data of the users in Ogawa by using an exchange infrastructure as taught by Kamiyama in order to access images associated with a particular user wherever they are.

With regard to claim 23, the combination of Ogawa and Kamiyama disclose the computer program product of claim 22 and Kamiyama discloses where the locations of the scanned image data can include multiple remote locations (column 2, lines 50-55). Here Kamiyama discloses a plurality of terminals that can request image data. It is clear that there can be multiple remote locations where images can be stored and retrieved from in a networked environment.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,115,739 to Ogawa.

With regard to claim 10, Ogawa discloses the system as defined in claim 1, wherein said item is a smart card. Smart cards are well known in the computer arts to contain user specific information. Therefore it would have been

obvious to one of ordinary skill in the art at the time of invention to use a smart card to store user information. Examiner takes official notice.

***Conclusion***

Applicant's amendment necessitated the new grounds of rejection presented in the Office Action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 703-305-6700. The examiner can normally be reached on 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wes Tucker  
4-13-05



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